REMARKS/ARGUMENTS

The Office Action mailed June 4, 2007 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Claims 1, 10, and 17 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, for example at least in paragraph [0185]. No new matter has been added.

The 35 U.S.C. § 112

Claims 23, 25 and 27 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

Specifically, the office action states that it "is not clear what is meant by determining a player's financial loss (or gain) without a player tracking device, especially since any physical element that tracks the player's financial loss (or gain) is by nature a player tracking device." Applicants respectfully disagree.

As provided in the Specification, "in one embodiment, a player may obtain funds from an outside source, such as from a bank or other financial institution by use of an ATM card or credit card. This request is routed through the financial server 120. When a player places such a request, if an account is not already created for the player, one is created. In this arrangement, the player may be identified by unique information associated with the ATM, credit card or other outside banking account. For example, when a player uses their credit card or ATM to request monies, unique information is transmitted to the financial institution so that the financial institution may complete the transaction. The casino or other entity may use this information to identify the player and establish an account or file of information with that player. … This aspect of the invention is advantageous in that it allows a casino to monitor player activities, and in particular financial activities which may relate to losses, even though a player does not utilize the casino's player tracking system. Thus, the system allows a casino to monitor a player's activity even if the player plays one or more games which do not include monitoring capabilities, where the player is not a patron of the casino's player tracking system, or does not use their card or

otherwise specifically identify themselves." (Specification, paragraphs [0185] and [187]). Thus, the player's financial loss may be tracked without the use a player tracking device.

Accordingly, it is respectfully asserted that the claims meet the standard under 35 U.S.C. § 112, second paragraph. It is respectfully requested that this rejection be withdrawn.

The 35 U.S.C. § 103 Rejection

Claims 1-15, 17-19 and 21-27 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Crevelt et al. (USP 5,902,983) in view of Johnson (U.S. Publication No. 2001/0031663), among which claims 1, 10 and 17 are independent claims. This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.) § 2143,

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Crevelt except that "Crevelt does not expressively teach that the player is prevented from playing the plurality of gaming devices based upon a predetermined criteria and the player's financial loss (claim 1), wherein the predetermined criteria is a predetermined period of time (Claim 21). The Office Action further contends that Johnson discloses that the player is prevented from playing the plurality of gaming devices based upon a predetermined criteria and the player's financial loss, wherein the predetermined criteria is a predetermined period of time" and that it "would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Crevelt such that the player is prevented from playing the plurality of gaming devices based upon a predetermined criteria and the player's financial loss, … in order to help curb gambling problems as well as jurisdictional restrictions regarding

gambling loss limits." The Applicants respectfully disagree for the reason, among others, set forth below.

Amended Claim 1 provides for: automatically creating a data file for the player if there is no data file associated with the player. Claims 10 and 17 provide for a similar feature. As stated in the Specification, "a player may obtain funds from an outside source, such as from a bank or other financial institution by use of an ATM card or credit card. This request is routed through the financial server 120. When a player places such a request, if an account is not already created for the player, one is created. In this arrangement, the player may be identified by unique information associated with the ATM, credit card or other outside banking account. For example, when a player uses their credit card or ATM to request monies, unique information is transmitted to the financial institution so that the financial institution may complete the transaction. The casino or other entity may use this information to identify the player and establish an account or file of information with that player." (Specification, paragraph [0185]).

Johnson teaches "a portal that serves as a 'safe gaming' interface between online gambling individuals and Internet-based gambling sites." (Abstract). The "user can personally register for the service by logging on to the Safe Gaming System Internet Web site. Alternately, another entity, for example a governmental agency, a gaming company, an online gaming site, or a credit card company may be permitted to perform the service of assisting in registering the user. … In all cases when using the system, the user's account number must be provided; either by the browser software, the 'smart card' or by manual input, and the password must be correctly input by the user." (Paragraphs [0015] and [0023]). Thus, the user must register and always sign in with the Safe Gaming System Internet Web site to create an account before the service of "safe gaming" may be used. Johnson does not teach "automatically creating a data file for the player if there is no data file associated with the player" as claimed in Claim 1.

Accordingly, since the prior art references, when combined, do not teach or suggest all the claimed limitations, they can not be said to render the claimed invention obvious. As to dependent claims 2-9, 11-15, 18-19 and 21-27, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance. It is respectfully requested that this rejection be withdrawn.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P130X2).

Respectfully submitted,
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